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Attorney for Defendant  
OMAR CASTRO-ALEJO

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	Case No. 2:20-cr-169 WBS
	)	
Plaintiff,	)	<b>STIPULATION AND ORDER TO</b>
	)	<b>CONTINUE STATUS CONFERENCE AND</b>
vs.	)	<b>EXCLUDE TIME</b>
	)	
OMAR CASTRO-ALEJO,	)	
	)	
Defendant.	)	Date: February 1, 2021
	)	Time: 9:00 a.m.
	)	Judge: Hon. William B. Shubb
	)	

By this stipulation, the parties move to continue the status conference until April 19, 2021, and to exclude time between February 1, 2021 and April 19, 2021, under Local Code T4.

The parties agree and stipulate, and request that the Court find the following:

a. The government has produced discovery which defense counsel will need further time to review and discuss with the defendant because of the difficulties of communicating with Mr. Castro-Alejo at the jail during the pandemic.

b. Defense counsel believes that failure to grant the above-requested continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

c. Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

1           d.       For the purposed of computing time under the Speedy Trial Act, 18 U.S.C. §  
2 3161, et seq., within which trial must commence, the time period of February 1, 2021 to April  
3 19, 2021, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local  
4 Code T4] because it results from a continuance granted by the Court at defendant's request on  
5 the basis of the Court's finding that the ends of justice served by taking such action outweigh the  
6 best interest of the public and the defendant in a speedy trial.

7           Nothing in this stipulation and order shall preclude a finding that other provisions of the  
8 Speedy Trial Act dictate that additional time periods are excludable from the period within which  
9 a trial must commence.

10  
11 DATED: January 25, 2021

Respectfully submitted,

12 HEATHER E. WILLIAMS  
13 Federal Defender

14 /s/ Noa E. Oren  
15 NOA E. OREN  
16 Assistant Federal Defender  
Attorney for OMAR CASTRO-ALEJO

17 DATED: January 25, 2021

MCGREGOR W. SCOTT  
United States Attorney

19 /s/ Justin Lee  
20 Justin Lee  
21 Assistant United States Attorney  
22 Attorney for Plaintiff  
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ORDER

The Court, having received, read, and considered the stipulation of the parties, and good cause appearing, adopts the stipulation in its entirety as its order. The Court specifically finds that the failure to grant a continuance in this case would deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The Court finds that the ends of justice served by granting the continuance outweigh the best interests of the public and defendant in a speedy trial.

The Court orders a status conference on April 19, 2021, at 9:00 a.m. The Court orders the time from February 1, 2021 up to and including April 19, 2021, excluded from computation of time within which the trial of this case must commence under the Speedy Trial Act, pursuant to 18 U.S.C. §§3161(h)(7), and Local Code T4.

Dated: January 26, 2021



**WILLIAM B. SHUBB**  
**UNITED STATES DISTRICT JUDGE**